

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

RICHARD BORST

Plaintiff,

v.

Case No. 08-14292

MS SELECT REALTY, LLC, et al.,

Defendants.

ORDER SETTING SUPPLEMENTAL STATUS CONFERENCE

On November 12, 2010, the court held a status conference with counsel for Plaintiffs and Defendant, during which it became apparent that substantial effort and expense at trial might be saved by narrowing the contested issues of fact. The parties have agreed to jointly engage the forensic and facilitative services of an accountant, who will review the records and express to the parties an independent opinion on the transactions and valuation of the claims. The parties will attempt through facilitated discussions to narrow the issues and facts in dispute. Through this it is hoped that the parties will also narrow the range of potential liability valuations that would apply if liability is shown at trial. Accordingly,

IT IS ORDERED that the parties shall engage the services of a forensic accountant and attempt facilitation before **December 16, 2010**. The parties are instructed to notify the court immediately if facilitation will not be possible at this time or if a settlement agreement is reached.

IT IS FURTHER ORDERED that counsel will participate in a telephone status conference on **December 16, 2010, at 10:00 a.m.** The court will initiate the call.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: November 15, 2010

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 15, 2010, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522